

**SUPREME COURT MINUTES  
WEDNESDAY, AUGUST 26, 1998  
SAN FRANCISCO, CALIFORNIA**

S071278      People, Respondent  
2nd Dist.      v.  
B115815      Patrick P. Felix, Appellant  
Div. 1      Respondent's petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S071558      People, Appellant  
4th Dist.      v.  
E020905      Ralph Michael Hudson, Respondent  
Div. 2      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Martinez*, S064558 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S071633      Leo Norgart et al., Appellants  
1st Dist.          v.  
A076401      Upjohn Company, Respondent  
Div. 3          Respondent's petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S071728      City of Barstow et al., Respondents  
4th Dist.          v.  
E017881      Mojave Water Agency et al., Respondents  
E018923      Jess Ranch Water Company, Appellant  
E018023      Respondent's petition for review GRANTED.  
E018681  
Div. 2

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S072002      Roy Chen et al., Respondents  
2nd Dist.      v.  
B113296      Franchise Tax Board, Appellant  
Div. 5      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Agnew v. State Board of Equalization*, S063339 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S072172      Imad Mohammad Shahhal, Petitioner  
4th Dist.      v.  
D031367      San Diego County Superior Court, Respondent  
Div. 1      Medical Board of California, Real Party in Interest  
Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Leone v. Medical Board of California*, S065485 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S071279 People, Respondent

2nd Dist. v.

B099630 LeRoy Clark and Willie L. Robey et al., Appellants

Div. 7 Petition for review of appellant Willie L. Robey GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Metters*, S069442 and *People v. Williams*, S066106 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Petition for review of appellant LeRoy Clark DENIED.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

3rd Dist. People, Respondent

C024983 v.

S071483 Joe Moreno Aguayo, Appellant

Petition for review GRANTED.

The cause is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Deloza* (1998) 18 Cal.4th 585.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

4th Dist. Keith Augustine et al., Petitioners  
E022778 v.  
Div. 2 Riverside County Superior Court, Respondent  
S071336 People, Real Party in Interest

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its order denying mandate and to issue directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.  
Mosk, J.  
Kennard, J.  
Werdegarr, J.  
Chin, J.

5th Dist. People, Respondent  
F028791 v.  
S070561 Robert Wynne, Appellant

Petition for review GRANTED.

The cause is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Deloza* (1998) 18 Cal.4th 585.

Mosk, J., would grant the petition but not transfer it to the Court of Appeal.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegarr, J.  
Chin, J.  
Brown, J.

S070035      People, Respondent  
5th Dist.          v.  
F027264      John David Buchholz, Appellant

The above-entitled review is hereby transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of People v. Flood (1998) 18 Cal.4th 470.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S064811      People, Respondent  
4th Dist.          v.  
E017926      Eugene Carter Horejs, Appellant  
Div. 2

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fourth Appellate District, Division Two.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S054783 June McKeon, Appellant

v.

Mercy Healthcare Sacramento, Respondent

Plaintiff and appellant June McKeon's request for judicial notice of excerpts from the legislative history of Assembly Bills No. 2180 and 2181 (1977-1977 Reg. Sess.)(McKeon's brief, appen., P. 83 et seq.) is granted. Appellant's request for judicial notice of the document described as "Mercy General/Mercy Healthcare Sacramento, Quarterly Publication, 1996" (McKeon's brief, appen., p. 53) is denied.

The requests for judicial notice by defendant and respondent Mercy Healthcare Sacramento (MHS) are granted as to the following materials: Directive Number 15 of the Enforcement Division of the Department of Fair Employment and Housing (DFEH)(MHS's brief, appen., p. 23 et seq.); a memorandum dated January 15, 1993, by the Enforcement Division of the DFEH stating that certain organizations are considered exempt pursuant to directive Number 15 (MHS's brief, appen., p. 30 et seq.); a certified copy of the Articles of Incorporation of St. Mary's Medical Center, San Francisco (MHS's brief, appen., p. 33 et seq.); excerpts from the legislative history of Assembly Bill No. 1047 (1977-1977 Reg. Sess.)(MHS's brief, appen., p. 79 et seq.); and excerpts from the legislative history of Assembly Bill No 2601 (1991-1992 Reg. Sess.)(MHS's brief, appen. p. 96 et seq.).

S015384 People, Respondent

v.

Richard Lacy Letner and

Christopher Allan Tobin, Appellants

The petitions for "writ of mandate or other appropriate remedy" filed on January 27, 1998, in case numbers S067605 and S067606 are deemed to be applications or motions to correct or settle the record, and the clerk of this court is hereby directed to refile said motions in the above-referenced automatic appeal. Good cause appearing therefor, and in accordance with the parties' stipulation to prepare a record of all juror questionnaires, the Tulare County Superior Court, once having received and authenticated this prepared record, is hereby directed to cause the voir dire questionnaires, including hardship forms, of the prospective and actual jurors to be

copied; to cause personal identifying information, specifically, name, telephone numbers, city or general area of residence, and signature, to be redacted from the questionnaires so copied; to cause the questionnaires so copied and redacted to become part of the clerk's transcript; and to cause such transcript to be prepared, delivered, and transmitted as specified in rules 33.6, 35 and 39.51 of the California Rules of Court. That court also is ordered to transmit, under seal, an unredacted copy of this record of the voir dire questionnaires of the prospective and actual jurors to the clerk of this court as specified in rule 33.6(3) of the California Rules of Court.

Good cause not appearing therefor, the requests to order further proceedings or settlement of the record with regard to jury instructions, particular municipal court and superior court hearings, and particular pages of the clerk's transcript and the reporter's transcript, are hereby denied.

S067605 Christopher Allan Tobin, Petitioner

v.

Tulare County Superior Court, Respondent

Daniel E. Lungren, etc., Real Party in Interest

Petition for writ of mandate DISMISSED as moot. (See order filed on August 26, 1998, in case number S015384.)

S067606 Richard Lacy Letner, Petitioner

v.

Tulare County Superior Court, Respondent

Daniel E. Lungren, etc., Real Party in Interest

Petition for writ of mandate DISMISSED as moot. (See order filed on August 26, 1998, in case number S015384.)

S069362 In re Arturo Castellanos

on

Habeas Corpus

Petition for writ of mandate DENIED.

S072481 Jesus Garcia Delgado, Petitioner

v.

Court of Appeal Fourth Appellate District Div. Two, Respondent

People, Real Party in Interest

Petition for writ of mandate DENIED.



Orders were filed in the following matters denying petition for writ of habeas corpus:

- S063246 - In re Dennis Leroy Hamilton on Habeas Corpus. Petition for writ of habeas corpus is DENIED.  
Mosk, J., is of the opinion an order to show cause should issue.
- S065214 - In re David Leitch on Habeas Corpus. Petition for writ of habeas corpus is DENIED for lack of diligence.
- S067512 - In re Marvin E. Hart on Habeas Corpus.
- S067659 - In re Vincent B. Paulk on Habeas Corpus.
- S067670 - In re Albert Lee on Habeas Corpus.
- S067852 - In re Steven W. Rose on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S067857 - In re Martin K. Maurer on Habeas Corpus.
- S067997 - In re Anthony James Beavers on Habeas Corpus.
- S068194 - In re Deborah Johnson on Habeas Corpus.
- S068246 - In re Marvin Gaye Braselman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S068295 - In re Darell M. Daniels, Sr. on Habeas Corpus.
- S068308 - In re Phillip L. McPherson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S068348 - In re John Michael on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

- S068386 - In re Jesus Baeza Olvera on Habeas Corpus. Petition for writ of habeas corpus is DENIED.  
Mosk, J., is of the opinion an order to show cause should issue.
- S068398 - In re Sammy Vallez on Habeas Corpus.
- S068408 - In re Dennis D. Olecik on Habeas Corpus.
- S068418 - In re Robert Latrelle Glass on Habeas Corpus.
- S068428 - In re Anthony Lopez Borrayo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S068468 - In re Stephen Henry on Habeas Corpus.
- S068532 - In re Boeh Suldén on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759.)
- S068539 - In re Larry R Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S068541 - In re Walter Lee Ross on Habeas Corpus.
- S068549 - In re Albert Louis Wyatt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S068588 - In re Andre Miguel Edmund on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S068601 - In re Oscar Cardona on Habeas Corpus.
- S068614 - In re Danny Scott on Habeas Corpus.
- S068624 - In re Bobby D. Lucas on Habeas Corpus.

- S068680 - In re Lamont Stewart on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S068703 - In re Dennis Edward Lewis on Habeas Corpus.
- S068753 - In re Paul Chin on Habeas Corpus.
- S068868 - In re Ronald Woodard on Habeas Corpus.
- S068872 - In re Joseph Benitt Braggs on Habeas Corpus.
- S068885 - In re Travis T. Rabon on Habeas Corpus.
- S068886 - In re Otis Levi Creamer, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S068894 - In re Edward Alexander Rivera on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S068899 - In re Jose Amaral on Habeas Corpus.
- S068902 - In re Ronny Y. Choi on Habeas Corpus.
- S068905 - In re Benjamin M. Gordon on Habeas Corpus.
- S068911 - In re Shawn Roberson on Habeas Corpus.
- S068940 - In re Robert Lee Jenkins on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S068966 - In re Kevin Lane Klein, Sr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S068980 - In re Byron Hernandez on Habeas Corpus.

- S069006 - In re Eric L. Nathan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069042 - In re Jerry Paul Barr on Habeas Corpus.
- S069088 - In re Kelvin Prince on Habeas Corpus.
- S069099 - In re Don Apollo Cozart on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S069135 - In re Charles Edward Hobbs on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069210 - In re Manuel J. Lopez on Habeas Corpus.
- S069213 - In re Rickey Crayon on Habeas Corpus. Deny without prejudice to filing a petition for writ of habeas corpus in the sentencing court. (See *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530, fn. 13.)
- S069246 - In re Roberto Fajardo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069283 - In re Arturo Cardoza on Habeas Corpus.
- S069324 - In re Rafael Jimenez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069347 - In re Tommy Macon on Habeas Corpus.
- S069376 - In re Bruce Ervin Turner on Habeas Corpus.
- S069384 - In re Mitchell Highbarger on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069399 - In re Jian Li on Habeas Corpus.

- S069426 - In re Trent Austin Hillman on Habeas Corpus.
- S069427 - In re Brent Moses on Habeas Corpus.
- S069434 - In re Michael Arriola on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069444 - In re Willie James Graham on Habeas Corpus.
- S069446 - In re Walter Wingfield on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lessard* (1965) 62 Cal.2d 497, 503.)
- S069448 - In re Earl Frank Westbrook on Habeas Corpus.
- S069453 - In re Donald Hooker on Habeas Corpus.
- S069455 - In re David Hunt on Habeas Corpus.
- S069463 - In re Frank J. Torres on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
- S069464 - In re Jeffrey Evans on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069470 - In re Anthony Gadley on Habeas Corpus.
- S069476 - In re Marion Joseph D'Avy, III on Habeas Corpus.
- S069479 - In re Ramon Segura on Habeas Corpus.
- S069493 - In re Robert E. Tyson on Habeas Corpus.
- S069498 - In re David Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069511 - In re Jesse L. Smith on Habeas Corpus.

- S069514 - In re Stanley Gershon on Habeas Corpus.
- S069520 - In re Kenneth Lamart Jordan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069524 - In re Barry William Mayfield on Habeas Corpus.
- S069543 - In re Armando Provencio on Habeas Corpus.
- S069554 - In re Marlon Darrel Evans on Habeas Corpus. Petition for writ of habeas corpus is DENIED.  
Mosk, J., is of the opinion an order to show cause should issue.
- S069556 - In re Christopher Burgis on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069571 - In re Jeff Scott Sargent on Habeas Corpus.
- S069574 - In re Manuel G. Borroto on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)
- S069575 - In re Montrece L. Gordon on Habeas Corpus.
- S069590 - In re Wayne Peter Swank on Habeas Corpus. Petition for writ of habeas corpus is DENIED.  
Mosk, J., is of the opinion an order to show cause should issue.
- S069607 - In re Thornell Brown on Habeas Corpus.
- S069613 - In re Tommy Lee Harris on Habeas Corpus.
- S069623 - In re Manuel Solano on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits.
- S069631 - In re Antonio Hernandez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)

- S069634 - In re Paul Dickerson on Habeas Corpus.
- S069640 - In re Marc H. Walker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069664 - In re Rudy Escalera on Habeas Corpus.
- S069710 - In re Frank Leon Webster on Habeas Corpus.
- S069712 - In re Dennis Edward Lewis on Habeas Corpus.
- S069714 - In re Hector Salazar on Habeas Corpus.
- S069724 - In re Robert Joe Crawford on Habeas Corpus.
- S069726 - In re Terry E. Bullock on Habeas Corpus.
- S069733 - In re Timothy Alan Kersten on Habeas Corpus.
- S069735 - In re Charles Eugene Brown on Habeas Corpus.
- S069753 - In re Kenyatta Ngengi on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)
- S069758 - In re Michael Allen Sweet on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S069760 - In re Maurice Holmes on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S069767 - In re Johnnie Russel Purvis on Habeas Corpus.
- S069777 - In re Robert E. Collins on Habeas Corpus.
- S069788 - In re Robert Jackson on Habeas Corpus.

- S069790 - In re Eddie Lee Grayson on Habeas Corpus.
- S069795 - In re Rodney Karl Blackwell on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Clark* (1993) 5 Cal.4th 750.)
- S069806 - In re Alberto Barreto on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See Pen. Code, §§ 2933.1, subd. (a) and 667.5, subd. (c)(6).)
- S069815 - In re Adall Harris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304.)
- S069834 - In re Ronald G. Robinson on Habeas Corpus.
- S069837 - In re Jeff Scott Sargent on Habeas Corpus.
- S070189 - In re Antonio Hernandez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (*In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925.)
- S070579 - In re Ronald G. Robinson on Habeas Corpus.
- S071958 - In re Wilmer Osibin on Habeas Corpus.

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| 1st Dist. | Rena Weeks, Respondent   |
| A068499   | v.   |
| Div. 1    | Baker & McKenzie et al., Appellants  |
| S071144   | Appellants' petition for review DENIED.  |
|           | The requests for partial depublication and full depublication of the opinion are DENIED. (See rule 979(c), Cal. Rules of Court.) |
|           | Baxter, J., did not participate.   |
| 1st Dist. | Atchison Topeka & Santa Fe Railway Company et al., Appellants  |
| A075454   | v.   |
| Div. 1    | Ransome Company et al., Respondents  |
| S071714   | Appellants' petition for review DENIED.  |



1st Dist. Gregory Stephen Agresta et al., Appellants  
A076343 v.  
Div. 3 Shell Oil Company et al., Respondents  
S071942 And Companion Case  
Petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

1st Dist. People, Respondent  
A076485 v.  
Div. 1 Joseph Bell et al., Appellants  
S071149 Appellants' petitions for review DENIED.

1st Dist. People, Respondent  
A077646 v.  
Div. 1 Victor Lee Martin, Appellant  
S071610 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

1st Dist. James G. Hansell et al., Appellants  
A077714 v.  
Div. 1 Santos Robinson Mortuary et al., Respondents  
S071858 Petition for review DENIED.

1st Dist. People, Respondent  
A078299 v.  
Div. 2 Darryl Mark Robinson, Appellant  
S071373 Appellant's petition for review DENIED.

1st Dist. In re Christopher K., a Person Coming  
A079464 Under the Juvenile Court Law  
Div. 1 -----  
S072024 People, Respondent  
v.  
Christopher K., Appellant  
Petition for review DENIED.

- 1st Dist.      Montgomery E. Patterson, Appellant  
A079918      v.  
Div. 1      City of Livermore, Respondent  
S071654      Respondent's petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should  
be granted.  
The Reporter of Decisions is directed not to publish in the  
Official Appellate Reports the opinion in the above-entitled appeal,  
filed May 27, 1998, which appears at 64 Cal.App.4th 206. (Cal.  
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 1st Dist.      People, Respondent  
A079936      v.  
Div. 3      Myron Tukes, Appellant  
S071991      Appellant's petition for review DENIED.
- 1st Dist.      Craig Battuello, Appellant  
A080011      v.  
Div. 5      Ellen Battuello et al., Respondents  
S071968      Petition for review DENIED.
- 1st Dist.      Marvin Brrokner, Petitioner  
A081708      v.  
Div. 5      Solano County Superior Court, Respondent  
S071998      The People and Bruce Alan Robinson, Real Parties in Interest  
Petition for review DENIED.  
Kennard, J., and Brown, J., are of the opinion the petition should  
be granted.
- 1st Dist.      Brinker International, Inc. et al., Petitioners  
A082957      v.  
Div. 4      Alameda County Superior Court, Respondent  
S072448      Mary Kathleen West, Real Party in Interest  
Application for stay and petition for review DENIED.
- 1st Dist.      In re Monica Miller Rosas  
A083050      on  
Div. 2      Habeas Corpus  
S071489      Petition for review DENIED.

2nd Dist. Whittaker Corporation, Respondent  
B053418 v.  
Div. 5 Allianz Underwriters Inc. et al., Appellants  
S031018 Respondent's petition for review DENIED.

2nd Dist. Martin Marietta Corporation et al., Appellants  
B096708 v.  
Div. 5 Certain Underwriters at Lloyd's London et al., Respondents  
S071703 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B103754 v.  
Div. 4 Clarence Lewis, Appellant  
S071134 Petitions for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Martin Sewall, Appellant  
B105937 v.  
Div. 7 Don Womack et al., Respondents  
S071753 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B106924 v.  
Div. 3 Gu Ik Jeong, Appellant  
S071641 Respondent's petition for review DENIED.  
Werdegar, J., Chin, J., and Brown, J., are of the opinion the  
petition should be granted.

2nd Dist. Jon-Marc Dobrin et al., Appellants  
B107511 v.  
Div. 7 Virginia Surety Company et al., Respondents  
S072090 Appellants' petition for review DENIED.

2nd Dist. Cathryn Kotler et al., Respondents  
B108471 v.  
Div. 5 Alma Lodge et al., Appellants  
S071488 Appellants' petition for review DENIED.

2nd Dist. B109251 Div. 2 S071261	People, Respondent v. Krist Joseph Medrano, Appellant Appellant's petition for review DENIED.
2nd Dist. B109285 B113006 Div. 4 S071690	Raymond Veltman, Respondent v. County of Los Angeles et al., Appellants Respondent's petition for review DENIED. Request for judicial notice denied.
2nd Dist. B109477 Div. 7 S071736	People, Respondent v. Kevin Thierry, Appellant Appellant's petition for review DENIED.
2nd Dist. B111159 Div. 2 S072027	People, Respondent v. Tyler Guitron Bell et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B111208 Div. 7 S072056	People, Respondent v. James L. Clark, Appellant Appellant's petition for review DENIED.
2nd Dist. B111689 Div. 5 S071979	People, Respondent v. Joseph A. Hollis, Appellant Appellant's petition for review DENIED.
2nd Dist. B111714 Div. 6 S071890	Mariberta Sanchez Nava et al., Appellants v. MVS Hotel Properties Inc., Respondent Petition for review DENIED.
2nd Dist. B111772 Div. 5 S072035	People, Respondent v. Michael J. Potter, Appellant Appellant's petitions for review DENIED.

2nd Dist. Ben Zion Birman et al., Appellants  
B111945 v.  
Div. 5 Stanley I. Loeb et al., Respondents  
S071808 Petition for review DENIED.

2nd Dist. City of Oxnard, Appellant  
B112330 v.  
Div. 6 City of San Buenaventura et al., Respondents  
S071854 Macerich Buenaventura Limited Partnership, Respondent  
Petition for review DENIED.

2nd Dist. Estate of Marian C. Cummins, Deceased  
B112346 -----  
Div. 1 Betty Sazio, as Administrator, etc., Appellant  
S071588 v.  
Anne Alcoser et al., Respondents  
Petition for review DENIED.

2nd Dist. Stuart Hackel, Appellant  
B113019 v.  
Div. 1 California Riviera Homeowners Association et al., Respondents  
S070977 Appellant's petition for review DENIED.  
Kennard, J., and Brown, J., are of the opinion the petition should  
be granted.

2nd Dist. Marvin Cobb, Appellant  
B113559 v.  
Div. 5 University of Southern California, Respondent  
S071313 Appellant's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B114511 v.  
Div. 3 Eric Thomas, Appellant  
S071990 Appellant's petition for review DENIED.

2nd Dist. B114658 Div. 5 S072033	People, Respondent v. Ralph Bryant, Appellant Appellant's petition for review DENIED.
2nd Dist. B115550 Div. 6 S071762	In re Ronald Steven Herrera on Habeas Corpus Petition for review DENIED.
2nd Dist. B115763 Div. 6 S071956	People, Respondent v. Rafael Martinez Madrigal, Appellant Appellant's petition for review DENIED.
2nd Dist. B117653 Div. 7 S071645	California Insurance Guarantee Association, Petitioner v. Los Angeles County Superior Court, Respondent Insurance Commissioner of the State of California, Real Party in Interest Real Party in Interest's petition for review DENIED.
2nd Dist. B118152 Div. 6 S071931	Joseph Donohue et al., Appellants v. Santa Paula Mobile Home Rent Review Comm. et al., Respondents Santa Paula West Ltd. et al., Real Parties in Interest Petition for review DENIED.
2nd Dist. B121664 Div. 6 S072075	Myrtle Vargas, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B123345 Div. 1 S072062	In re Vondell Lewis on Habeas Corpus Petition for review DENIED.

2nd Dist. Ronald Davey, Petitioner  
B123353 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S072149 People, Real Party in Interest  
Application for stay and petition for review DENIED.

2nd Dist. Fereydoun Seyed Askari, Petitioner  
B124066 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S072489 Hormoz Azizzadeh, Real Party in Interest  
Application for stay and petition for review DENIED.

2nd Dist. Grace Genson Cosgrove & Schirm et al., Petitioners  
B124351 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S072641 Patricia La Frenais, Real Party in Interest  
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent  
C024885 v.  
S072021 Carl Callegari, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025016 v.  
S071578 Trice Lenard Sparks, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025182 v.  
S071319 Gregorio Alcaraz Maldonado, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025430 v.  
S072000 Jose Mofin Sanchez, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025953 v.  
S072012 Maurice Cook, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Harold Wagner et al., Appellants  
C026086 v.  
C027459 Stanley Tacheira et al., Respondents  
S071885 Petition for review DENIED.

4th Dist. People, Respondent  
D027483 v.  
D030617 Juan Zarco, Appellant  
Div. 1 -----  
S072948 In re Juan Zarco on Habeas Corpus  
Appellant's petition for review DENIED.

4th Dist. In re Kevin Lamont Murphy  
D030799 on  
Div. 1 Habeas Corpus  
S071440 Petition for review DENIED.

4th Dist. Paul Ziskin, as Executor, etc., et al., Respondents  
E018039 v.  
Div. 2 James Robert Alexander Sikowski, Appellant  
S072028 Petition for review DENIED.

4th Dist. People, Respondent  
E018940 v.  
E019366 Charles Edward Walker, Appellant  
Div. 2 Appellants' petition for review DENIED.  
S071406

4th Dist. People, Respondent  
E019678 v.  
Div. 2 Harold Dwayne Graham, Appellant  
S072020 Appellant's petition for review DENIED.



4th Dist. People, Respondent  
E020432 v.  
Div. 2 Jose Francisco Medina, Appellant  
S072060 Appellant's petitions for review DENIED.

4th Dist. People, Respondent  
G020293 v.  
Div. 3 Diego Leon Zapata, Appellant  
S072045 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G020521 v.  
Div. 3 Scott Anthony Smith, Appellant  
S072055 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G020544 v.  
Div. 3 Robert Francis Foranyic, Appellant  
S071673 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G020828 v.  
Div. 3 Kenneth Michael Cornelison, Appellant  
S071859 Appellant's petition for review DENIED.

4th Dist. In re Alejandro C., a Person Coming Under the Juvenile Court Law  
G021756 -----  
Div. 3 People, Respondent  
S071593 v.  
Alejandro C., Appellant  
Appellant's petition for review DENIED.

4th Dist. Ron Evans, Petitioner  
G023423 v.  
Div. 3 Workers' Compensation Appeals Board, Respondent  
S072016 Hughes and Company et al., Respondents  
Petition for review DENIED.

5th Dist. People, Respondent  
F025741 v.  
S071529 Robert Lomas Juarez et al., Appellants  
Appellants' petitions for review DENIED.

5th Dist. In re Jose Hernandez Gomez on Habeas Corpus  
F026402 -----  
F028541 People, Respondent  
S071400 v.  
Jose Hernandez Gomez, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027439 v.  
S072068 Johannes N. Oerlemans, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027598 v.  
S071994 Eric Justin Rene Simmons, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028072 v.  
S071823 John Turner, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028248 v.  
S072049 Samuel Mayfield, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028269 v.  
S071964 Ralph Soto, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H014046 v.  
S071370 Murray John Lodge, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

6th Dist. People, Respondent  
H014047 v.  
S071299 Victor Manuel Pena, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H015821 v.  
H016862 Roberto Espinoza Martinez, Appellant  
S071283 -----  
In re Roberto Espinoza Martinez on Habeas Corpus  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016099 v.  
S071118 Barry Dwayne Jones, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

6th Dist. People, Respondent  
H016585 v.  
S072047 Curtis Redmond, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016603 v.  
S071300 William Alan Nowicki, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016944 v.  
S072088 Melvin Donnell Franklin, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

6th Dist. Robert F. Coleman et al., Appellants  
H016980 v.  
S071941 County of Santa Clara, Respondent  
Petition for review DENIED.  
Brown, J., is of the opinion the petition should be granted.

1st Dist. United Services Automobile Association, Appellant  
A078947 v.  
Div. 3 Dollar Rent A Car Systems, Inc., Respondent  
S071056 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Francis Bonsu et al., Appellants  
B095208 v.  
Div. 7 California Insurance Guarantee Association, Appellant  
S071016 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Sheldon Whitehouse, as Receiver, etc., Respondent  
B110403 v.  
Div. 6 Six Corporation et al., Appellants  
S071771 Sammy Jo Reeder et al., Appellants  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Swiss Connection Inc., Appellant  
B112031 v.  
Div. 6 Credit Suisse, Respondent  
S069927 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

4th Dist. In re the Marriage of Lusby  
D024029 -----  
Div. 1 Andrea F. Lusby, Appellant  
S071770 v.  
Edward W. Lusby, Appellant  
The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

4th Dist. Douglas W. MacVoy, Appellant

E019091 v.

Div. 2 Antec Corporation, Respondent

S071864 The request for an order directing publication of the opinion in the above entitled cause is DENIED.

4th Dist. Renee Clark et al., Petitioners

G020375 v.

Div. 3 Orange County Superior Court, Respondent

S072385 County of Orange, Real Party in Interest

The request for an order directing depublication of the opinion in the above entitled cause is DENIED.

S069783 People, Respondent

v.

Jerry Garcia, Appellant

Upon request of appellant for appointment of counsel, Robert Navarro is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S069817 People, Appellant

v.

Trevor James Gentry, Respondent

Upon request of respondent for appointment of counsel, Robert Derham is hereby appointed to represent respondent on his appeal now pending in this court.

Respondent's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

